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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/797,553         | 03/10/2004             | William R. Moyle      | Moy 1-005              |

CONFIRMATION NO. 4558

00041606  
 RICHARD R. MUCCINO  
 758 SPRINGFIELD AVENUE  
 SUMMIT, NJ 07901

## FORMALITIES LETTER



\*OC000000014267288\*

Date Mailed: 11/03/2004

## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

### *Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

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- For Rules Interpretation, call (571) 272-0951
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- For Patent Software Program Help, call (571) 272-2510 or email [mark.spencer@uspto.gov](mailto:mark.spencer@uspto.gov)

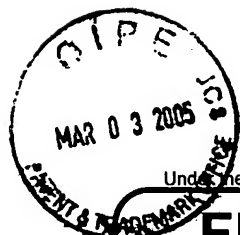
Replies should be mailed to: Mail Stop Missing Parts  
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PTO/SB/17 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 215.00)

**Complete if Known**

|                      |                  |
|----------------------|------------------|
| Application Number   | 10/797,553       |
| Filing Date          | 10 March 2004    |
| First Named Inventor | William R. Moyle |
| Examiner Name        | unknown          |
| Art Unit             | unknown          |
| Attorney Docket No.  | Moy 1-005        |

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

13-4822

Richard R. Muccino

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity<br>Fee Code | Small Entity<br>Fee Code | Fee Description        | Fee Paid |
|--------------------------|--------------------------|------------------------|----------|
| 1001 750                 | 2001 375                 | Utility filing fee     |          |
| 1002 330                 | 2002 165                 | Design filing fee      |          |
| 1003 520                 | 2003 260                 | Plant filing fee       |          |
| 1004 750                 | 2004 375                 | Reissue filing fee     |          |
| 1005 160                 | 2005 80                  | Provisional filing fee |          |

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims       | -20** =      | X              |          |
| Independent Claims | -3** =       | X              |          |
| Multiple Dependent |              |                |          |

| Large Entity<br>Fee Code | Small Entity<br>Fee Code | Fee Description  |
|--------------------------|--------------------------|--|
| 1202 18                  | 2202 9                   | Claims in excess of 20                                     |
| 1201 84                  | 2201 42                  | Independent claims in excess of 3                          |
| 1203 280                 | 2203 140                 | Multiple dependent claim, if not paid                      |
| 1204 84                  | 2204 42                  | ** Reissue independent claims over original patent         |
| 1205 18                  | 2205 9                   | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity<br>Fee Code | Small Entity<br>Fee Code | Fee Description  | Fee Paid |
|--------------------------|--------------------------|--|----------|
| 1051 130                 | 2051 65                  | Surcharge - late filing fee or oath  |          |
| 1052 50                  | 2052 25                  | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                 | 1053 130                 | Non-English specification  |          |
| 1812 2,520               | 1812 2,520               | For filing a request for ex parte reexamination                            |          |
| 1804 920*                | 1804 920*                | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*              | 1805 1,840*              | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                 | 2251 55                  | Extension for reply within first month                                     | 215.00   |
| 1252 410                 | 2252 205                 | Extension for reply within second month                                    |          |
| 1253 930                 | 2253 465                 | Extension for reply within third month                                     |          |
| 1254 1,450               | 2254 725                 | Extension for reply within fourth month                                    |          |
| 1255 1,970               | 2255 985                 | Extension for reply within fifth month                                     |          |
| 1401 320                 | 2401 160                 | Notice of Appeal   |          |
| 1402 320                 | 2402 160                 | Filing a brief in support of an appeal                                     |          |
| 1403 280                 | 2403 140                 | Request for oral hearing   |          |
| 1451 1,510               | 1451 1,510               | Petition to institute a public use proceeding                              |          |
| 1452 110                 | 2452 55                  | Petition to revive - unavoidable   |          |
| 1453 1,300               | 2453 650                 | Petition to revive - unintentional   |          |
| 1501 1,300               | 2501 650                 | Utility issue fee (or reissue)   |          |
| 1502 470                 | 2502 235                 | Design issue fee   |          |
| 1503 630                 | 2503 315                 | Plant issue fee  |          |
| 1460 130                 | 1460 130                 | Petitions to the Commissioner  |          |
| 1807 50                  | 1807 50                  | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180                 | 1806 180                 | Submission of Information Disclosure Stmt                                  |          |
| 8021 40                  | 8021 40                  | Recording each patent assignment per property (times number of properties) |          |
| 1809 750                 | 2809 375                 | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 750                 | 2810 375                 | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 750                 | 2801 375                 | Request for Continued Examination (RCE)                                    |          |
| 1802 900                 | 1802 900                 | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 215.00)

**SUBMITTED BY**

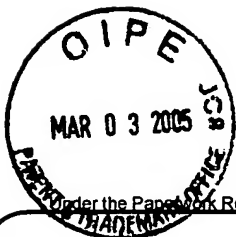
|                   |                    |                                   |                  |           |              |
|-------------------|--------------------|-----------------------------------|------------------|-----------|--------------|
| Name (Print/Type) | Richard R. Muccino | Registration No. (Attorney/Agent) | 32,538           | Telephone | 908-273-4988 |
| Signature         |                    | Date                              | 28 February 2005 |           |              |

(Complete if applicable)

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (03-03)  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                        |               |
|------------------------|---------------|
| Application Number     | 10/797,553    |
| Filing Date            | 10 March 2004 |
| First Named Inventor   | Moyle         |
| Art Unit               |               |
| Examiner Name          |               |
| Attorney Docket Number | Moy1-005      |

### ENCLOSURES (Check all that apply)

|  |  |   |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form  | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> After Allowance Communication to a Technology Center (TC)      |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment/Reply                                  | <input type="checkbox"/> Petition  | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application  | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                                   | <input type="checkbox"/> Power of Attorney, Revocation   | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                                   | <input type="checkbox"/> Change of Correspondence Address  | <input type="checkbox"/> Other Enclosure(s) (please identify below):                    |
| <input type="checkbox"/> Express Abandonment Request                                 | <input type="checkbox"/> Terminal Disclaimer   |   |
| <input type="checkbox"/> Information Disclosure Statement                            | <input type="checkbox"/> Request for Refund  |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                      | <input type="checkbox"/> CD, Number of CD(s) _____   |   |
| <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application | <b>Remarks</b>   |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53         | 1) Disk with sequence listing<br>2) Paper copy of sequence listing<br>3) Statement pursuant to Section 1.821<br>4) Amendment |   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                    |                    |
|--------------------|--------------------|
| Firm or Individual | Richard R. Muccino |
| Signature          |                    |
| Date               | 28 February 2005   |

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 28 February 2005

|                  |                    |      |                  |
|------------------|--------------------|------|------------------|
| Typed or printed | Richard R. Muccino | Date | 28 February 2005 |
| Signature        |                    |      |                  |

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|  |                        |               |
|--|------------------------|---------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | Application Number     | 10/797,553    |
|  | Filing Date            | 10 March 2004 |
|  | First Named Inventor   | Moyle         |
|  | Art Unit               | unknown       |
|  | Examiner Name          | unknown       |
| Total Number of Pages in This Submission   | Attorney Docket Number | Moy1-005      |

| ENCLOSURES (Check all that apply)  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> After Allowance Communication to a Technology Center (TC)      |
| <input checked="" type="checkbox"/> Fee Attached                                     | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment/Reply                                  | <input type="checkbox"/> Petition  | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application  | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                                   | <input type="checkbox"/> Power of Attorney, Revocation   | <input type="checkbox"/> Status Letter  |
| <input checked="" type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Change of Correspondence Address  | <input type="checkbox"/> Other Enclosure(s) (please identify below):                    |
| <input type="checkbox"/> Express Abandonment Request                                 | <input type="checkbox"/> Terminal Disclaimer   |   |
| <input type="checkbox"/> Information Disclosure Statement                            | <input type="checkbox"/> Request for Refund  |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                      | <input type="checkbox"/> CD, Number of CD(s) _____   |   |
| <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks  |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53         | 1) Disk with sequence listing<br>2) Paper copy of sequence listing<br>3) Statement pursuant to Section 1.821<br>4) Amendment |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                    |
|--|--------------------|
| Firm or Individual                         | Richard R. Muccino |
| Signature                                  |                    |
| Date                                       | 28 February 2005   |

| CERTIFICATE OF TRANSMISSION/MAILING   |                    |      |                  |
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| Typed or printed  | Richard R. Muccino |      |                  |
| Signature   |                    | Date | 28 February 2005 |

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